



REAL ESTATE COMMISSION
PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES
STATE OF HAWAII
313 SO. BERETANIA ST.
P. O. BOX 3469
Honolulu 1, Hawaii

FINAL
HORIZONTAL PROPERTY REGIMES (CONDOMINIUM)
PUBLIC REPORT
ON
THE KULEANA
Hanama Place, Kailua-Kona
Island and County of Hawaii
State of Hawaii
REGISTRATION NO. 28

IMPORTANT — Read This Report Before Buying

This Report Is Not an Approval or Disapproval of This Condominium Project

It reflects information obtained by the Real Estate Commission in its investigation of the project. This report, based on a principle of disclosure, is issued by the Commission for the purpose of preventing fraud, misrepresentation or deceit.

The developer shall not enter into a binding contract or agreement for the sale of any unit in a Condominium Project until

- (1) A copy of this Report has been given to the prospective purchaser,
- (2) The latter has been given an opportunity to read same, and,
- (3) His receipt taken therefor.

January 24, 1964

SPECIAL ATTENTION

Particular attention of prospective purchasers is directed to the following:

- (1) THE KULEANA is a proposed leasehold condominium project.
- (2) The Developer has submitted final architectural and engineering drawings and plans. Specifications have also been filed for examination.
- (3) In the Notice of Intention the Developer advises that construction on the project will begin February 25, 1964.
- (4) The Developer has filed the following documents or specimen documents with the Commission for examination: Notice of Intention; Declaration and Master Lease; Reservation Agreement; Purchase Agreement; Uniform Condominium Lease; Escrow Agreements; Building Contract; Final Working Plans and Drawings; Specifications; Certificate of Title; By-Laws of the Association of Apartment Owners; House Rules; Statement of Financing of the Project; Schedule of Prices of Condominium Dwelling Units; and various communications from the Department of Public Works, County of Hawaii. Promotional and advertising material for the merchandising of this project has also been submitted to the Commission.
- (5) The purchaser is advised to acquaint himself with the general provisions of the Horizontal Property Act (HPA) passed by the Legislature of the State of Hawaii in 1961. This statute was amended by the Legislature in 1962 and substantially improved again by 1963 amendments.

NAME OF PROJECT: THE KULEANA

DEVELOPER: The Notice of Intention shows David Twigg-Smith dba Hale Akala, 2135 Kalaniana'ole Avenue, Hilo, Hawaii, as the Developer.

LOCATION: At the western (makai) end of Hanama Place, Kailua in the District of North Kona, Island and County of Hawaii, State of Hawaii. The site is approached over the roadway of Hanama Place from the Kuakini Highway. It is situated in the near-center of Kailua-Kona and is accessible to services of this resort town. The zoning is "Proposed Hotel Apartment."

TAX MAP KEY: THIRD DIVISION 7-5-07, Lots 44, 46 and 47

DESCRIPTION: The leasehold comprises a land area of 26,719 square feet. The two-story project will be of reinforced concrete construction and there are three buildings, designated "A", "B" and "C". Each of the buildings will contain eight apartments.

Building A: Studio Apartments. Building A is two stories with four studio apartments on each floor over a lower level containing a maintenance shop, two storage rooms, laundry, access stairs, swimming pool equipment, central electrical distribution equipment, and three parking stalls.

Building B: One Bedroom Apartments. Building B is two stories with four one bedroom apartments on each story.

Building C: Two Bedroom Apartments. Building C is two stories with eight two story maisonettes or row houses with the living areas on the lower floor and sleeping area on the upper floor.

Building A is constructed of reinforced concrete floor and roof slab and beams on reinforced concrete columns, reinforced and concrete block piers and concrete encased steel pipe columns. Buildings B and C have a reinforced concrete first floor slab on grade and reinforced concrete second floor and roof slabs on reinforced concrete block bearing walls. Apartment C-8 has in addition to the above a reinforced concrete column and a reinforced concrete beam. All second floor apartments also have a reinforced concrete beam.

There shall be twenty-four apartments in the project which shall be designated by a letter referring to the building containing the apartment and a number or numbers which locate the apartment in the building. Apartments in Buildings A and B are identified by three digits. The first indicates the floor of the building upon which it is located; the second is a zero; and the third indicates the horizontal position of the apartment with respect to its proximity to the pedestrian ramp to the project from the parking area. Example: A-101 is the apartment in building A on the first floor, closest to the access ramp. Numbering of Building C is the same except the first two digits are omitted.

Studio Apartments: Building A. All studio apartments consist of living-dining-bedroom, kitchenette, storage area, bathroom, and lanai. Apartments A-101, A-201, A-104 and A-204 contain approximately 380 square feet. Apartments A-102, A-202, A-103 and A-203 contain approximately 416 square feet. Apartments A-101, A-102, A-201, and A-202 open immediately upon stairway A1. Apartments A-103, A-104, A-203, and A-204 open immediately upon stairway A2. The location of the apartments in Building A is as follows:

A-101 First floor at the extreme west end.
A-201 Second floor immediately above apartment 101.
A-102 First floor immediately east of A-101.
A-202 Second floor immediately above A-102
A-103 First floor immediately east of A-102.
A-203 Second floor immediately above A-103.
A-104 First floor immediately east of A-103. (extreme east end)
A-204 Second floor immediately above A-104.

One Bedroom Apartments: Building B. All one bedroom apartments consist of living room with kitchenette and lanai adjoining, entry hall with storage, a bedroom with an adjoining lanai and a bathroom. All apartments contain

approximately 660 square feet. Apartments B-101, B-201, B-102 and B-202 open immediately upon stairway B-1. Apartments B-103, B-203, B-104 and B-204 open immediately upon stairway B2. Each first floor apartment has exclusive use of a garden lanai extending from it to the property line. The location of the apartments in Building B is as follows:

B-101 First floor at the extreme south end.
B-201 Second floor immediately above B-101.
B-102 First floor immediately north of apartment B-101.
B-202 Second floor immediately above B-102.
B-103 First floor immediately to the north of B-102.
B-203 Second floor immediately above B-103.
B-104 First floor at the extreme north end.
B-204 Second floor immediately above B-104.

Two Bedroom Apartments: Building C. All two bedroom apartments consist of one two story maisonette with an entry at a mid-level stair landing between the two floors, a living room leading to lanai and garden, and a kitchen containing SRS and waste disposal leading to garden, two bedrooms, and a bathroom. All two bedroom apartments contain approximately 950 square feet. Each apartment opens immediately upon a walkway. An optional second bath may be installed under the stairway at extra cost to the apartment owner. Each maisonette has exclusive use of a garden lanai extending from it to the property line. The apartments in Building C are located as follows:

C-1 Extreme south end
C-2 Immediately north of C-1.
C-3 Immediately north of C-2.
C-4 Immediately north of C-3.
C-5 Immediately north of C-4.
C-6 Immediately north of C-5.
C-7 Immediately north of C-6.
C-8 Extreme north end, and immediately north of C-7.

COMMON ELEMENTS: The Developer states that the Common Elements will include:

- (1) The land hereby subjected to a horizontal property regime, hereinabove described.
- (2) The foundations; beams; supports; rock and concrete retaining walls; all walls with the exception of the finished surfaces inside each apartment which inside surfaces shall be elements of the respective apartments; the beams and columns of the buildings; the stairs and stair landings of Buildings A and B; the entrances and exits to the condominium project and the apartments as follows: The vehicular entry/exit ramp to the parking area, the pedestrian walk at the south boundary of the property, the pedestrian entrance from Hanama Place, including the trellis, all concrete walks, planting areas and gardens giving access to the various buildings, the pedestrian entrance ramps from the parking area to the central court;
- (3) The flat roofs; yards; gardens; swimming pool; parking area; and the lower level of Building A which more specifically includes the laundry facilities, storage areas, maintenance shop, parking stalls, and pool equipment; the garden lanais which adjoin the first floor apartments of Building B and all the apartments in Building C (each garden being a limited common element appertaining to the apartment which it adjoins); the parking area to the south of Buildings A and C and under Building A (which parking area contains 24 parking stalls each of which shall be a limited common element appertaining to the apartment corresponding to its designation);
- (4) Central and appurtenant installations for services including plumbing; sprinkler system; telephone equipment; electrical installations; television antenna system; and trash enclosure; and all ducts and fans;
- (5) All intangible personal property, choses in action, debts, monies, reserves, funds and other assets held by the Association of Apartment Owners for the benefit of the several apartment owners;

- (6) And, all other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use.

LIMITED COMMON ELEMENTS: The Developer advises that the Limited Common Elements are:

- (1) All parking stalls designated with a number corresponding to the number of an apartment. Each such stall shall appertain to the apartment to which its number corresponds.
- (2) The four gardens between Building B and the east property line and abutting onto apartments B-101; B-102, B-103 and B-104 respectively, each of which shall appertain to the apartment onto which it abuts.
- (3) The garden between Building B and the north property line which shall appertain to apartment B-104.
- (4) The gardens between Building C and the west and north property lines and abutting onto apartments C-1 through C-8, respectively, each of which shall appertain to the apartment onto which it abuts.
- (5) The gardens between the kitchens and the access walks of apartments C-1 through C-8, each of which shall appertain to the apartment onto which it abuts.
- (6) Storage cubicals in the two storage rooms beneath Building A designated by numbers corresponding with apartment numbers, each of which shall appertain to the apartment to which its number corresponds.

INTEREST TO BE CONVEYED PURCHASER: The percentage of undivided interest in the common elements appertaining to each apartment and its own for all purposes, including voting is stated in the Declaration as follows: Building "A" - 3½%, Building "B" - 4% and Building "C" - 5%.

ENCUMBRANCES AGAINST TITLE: The Developer in his Declaration and Master Lease of Horizontal Property Regime states that there is a lis pendens action filed in the Circuit Court of the Third Judicial Circuit, Civil No. 873, and in the Bureau of Conveyances as Document No. 2685, County of Hawaii vs. Takeichi Higa, David Twigg-Smith, et al seeking to acquire easements -- 10 foot sewer easements over, through and across the parcels of lands described in the Declaration.

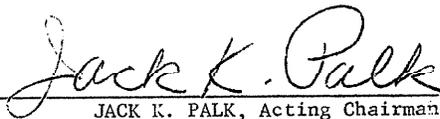
OWNERSHIP TO TITLE: The Certificate of Title, issued May 31, 1963, shows the title to be vested in David Twigg-Smith and Benedict Mary Twigg-Smith, Husband and Wife as Tenants by the Entirety.

PURCHASE MONEY HANDLING: The Developer has filed with the Commission a specimen copy of the Escrow Agreement to be executed between the "vendor" and the "escrow". The escrow agent has not been identified in the Notice of Intention.

Note: It is incumbent upon the prospective purchaser that he read this document which establishes the procedures under which all moneys received by the sellers are to be handled.

MANAGEMENT AND OPERATIONS: The By-Laws of the Association of Apartment Owners give the Board of Directors the authority to employ a management agent or manager. The Developer submits the firm of Kona Realty Co. as the manager under the Notice of Intention.

STATUS OF PROJECT: The Developer advises that a contract was executed with ISEMOTO CONTRACTING CO., LTD., 648 Piilani Street, Hilo, Hawaii to construct THE KULEANA condominium project. Work will start on the site on or about February 25, 1964.



JACK K. PALK, Acting Chairman
HAWAII REAL ESTATE COMMISSION

cc: DEPT. OF TAXATION
DEPT. OF REGULATORY AGENCIES
(Business Registration Division)
BUREAU OF CONVEYANCES
HAWAII PLANNING & TRAFFIC COMMISSION